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United States of America

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

ROMAN RODRIGUEZ,

Defendant.

Case No: 1:24-CR-00110-JLT-SKO

STIPULATION TO CONTINUE STATUS
CONFERENCE AND EXCLUDE TIME UNDER
SPEEDY TRIAL ACT; ORDER

THE PARTIES HEREBY STIPULATE, through their respective attorneys of record, Assistant United States Attorney Brittany M. Gunter, counsel for the government, and Monica Bermudez, counsel for Roman Rodriguez (“the defendant”), that this action’s **Wednesday, October 16, 2024, status conference be continued to Wednesday, November 20, 2024, at 1:00 p.m.** The parties likewise ask the court to endorse this stipulation by way of formal order.

The parties base this stipulation on good cause, as follows:

1. The grand jury returned an Indictment regarding this matter on May 23. ECF 8.
2. The government has provided defense counsel with initial discovery and supplemental discovery. The defense is and has been reviewing discovery thus far provided.

3. The government currently believes all discovery has been produced pursuant to Rule 16 or otherwise made available for the defense's inspection and review pursuant to the Adam Walsh Act. The government will nevertheless continue to follow up with law enforcement to determine the extent additional supplemental discovery exists. If the government identifies additional information that should be produced as supplemental discovery, the government will promptly produce it to defense counsel in accordance with Rule 16.
4. As defense counsel completes her analysis of the discovery produced in this case, counsel for the government will work with the defense and the HSI Bakersfield office to ensure that the defense is able to also timely review, upon its request, any electronic evidence in this case in accord with relevant provisions of the Adam Walsh Act.
5. Defense counsel requires more time to complete its investigation, discuss the case with the defendant, and to have an expert examine the electronic devices involved with this case. Defense counsel and the defendant have also requested a plea offer from the government, and the government is currently preparing that offer. Defense counsel and the defendant will need additional time to review the plea offer and continue plea negotiations with the government.
6. Defense counsel believes that failure to grant the above-requested continuance would deny her the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.
7. The parties therefore stipulate that the period of time from October 16, 2024, through November 20, 2024, is excludable pursuant to 18 U.S.C. §§ 3161(h)(7)(A) and 3161(h)(7)(B)(i) and (iv) because it results from a continuance granted by the Court at the parties' request on the basis of the Court's finding that the ends of justice served by taking such action outweigh the best

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interest of the public and the defendant in a speedy trial.

IT IS SO STIPULATED.

Dated: October 8, 2024

PHILLIP A. TALBERT
United States Attorney

By: /s/ BRITTANY M. GUNTER
BRITTANY M. GUNTER
Assistant United States Attorney

Dated: October 8, 2024

By: /s/ MONICA BERMUDEZ
MONICA BERMUDEZ
Attorney for Defendant
Roman Rodriguez

ORDER

IT IS ORDERED that the status conference currently set for October 16, 2024, at 1:00 pm is continued until November 20, 2024, at 1:00 pm.

IT IS FURTHER ORDERED THAT the period of time from October 16, 2024, through November 20, 2024, is excluded pursuant to 18 U.S.C. §§ 3161(h)(7)(A) and 3161(h)(7)(B)(i) and (iv) because it results from a continuance granted by the Court at the parties' request on the basis of the Court's finding that the ends of justice served by taking such action outweigh the best interest of the public and the defendant in a speedy trial.

Dated:

HONORABLE SHEILA K. OBERTO
United States Magistrate Judge